

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated March 17, 2009 has been received and its contents carefully reviewed.

Claims 1, 7, 8, and 13-17 are hereby amended to correct minor informalities. No new matter has been added. Accordingly, claims 1-18 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

The Office Action rejects claims 1, 2, 7-10, 12, 15, 16, and 18 under 35 U.S.C. §102(e) as being anticipated by PCT Application Publication No. WO 2003/019705 (*WO '705*). Applicants respectfully traverse the rejection.

The present application is PCT national phase application of PCT Application No. PCT/IB03/003637, filed August 5, 2003, which claims the benefit of French Patent Application No. 02/10009, filed August 6, 2002. Applicants submit a certified English translation of French Patent Application No. 02/10009 to perfect priority claim. Thus, the effective filing date for the present application is August 6, 2002. *WO '705* is a PCT application publication, filed on August 23, 2002. The 102(e) date for *WO '705* is August 23, 2003, which is after the effective filing of the present application. Therefore, *WO '705* does not constitute prior art against the present application under 35 U.S.C. §102(e). The rejection is improper. Applicants respectfully request that the Office withdraw the rejection.

The Office Action rejects claim 3 under 35 U.S.C. §103(a) as being obvious over *WO '705* in view of Hasvold et al., "Sea-water battery for subsea control systems", Journal of Power Sources, 65, pages 253-261, 1997 [5]. Applicants respectfully traverse the rejection.

As discussed, *WO '705* does not constitute prior art against the present application under 35 U.S.C. §102(e), so the rejection is improper. Applicants respectfully request that the Office withdraw the rejection.

The Office Action rejects claims 5, 6, and 17 under 35 U.S.C. §103(a) as being obvious over *WO '705*. Applicants respectfully traverse the rejection.

As discussed, *WO '705* does not constitute prior art against the present application under 35 U.S.C. §102(e), so the rejection is now improper. Applicants respectfully request that the Office withdraw the rejection.

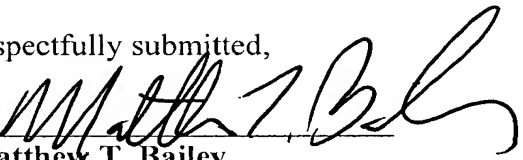
The application is in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Dated: July 14, 2009

Respectfully submitted,

By


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Attachments